

**FILED VIA EFS ON OCTOBER 2, 2008**

**Attorney Docket No. 10057-719.201**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/840,188 Confirmation No.: 7264  
Applicant : Mark L. MATHIS et al.  
Filing Date : May 5, 2004  
Title : Device and Method for Modifying the Shape of a Body Organ  
Group Art Unit : 3731  
Examiner : Tuan Van NGUYEN  
Docket No. : 10057-719.201  
Customer No. : 66854

DO NOT ENTER: /TN/

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313  
Sir:

10/17/2008

**AMENDMENT IN RESPONSE TO FINAL OFFICE ACTION**

**Introductory Comments:**

This Amendment responds to the final Office Action dated April 21, 2008, for which a response is due July 21, 2008. A request for extension of time, up to and including **October 21, 2008**, accompanies this response.

Please enter the amendments and consider the remarks as follows.

**Amendments to the Specification** are not being made at this time.

**Amendments to the Claims** begin on page 2.

**Remarks / Arguments** begin on page 6 of this paper.